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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

ROCKTOP PARTNERS, LLC; and)
WILMINGTON SAVINGS FUND SOCIETY,)
FSB, as Trustee of Stanwich Mortgage Loan)
Trust A,)

Plaintiffs,)

v.)

SFR INVESTMENTS POOL 1, LLC, a)
Nevada limited liability company; and)
ANTHEM COUNTRY CLUB COMMUNITY,)
ASSOCIATION, a Nevada nonprofit)
corporation,)

Defendants.)

SFR INVESTMENTS POOL 1, LLC, a)
Nevada limited liability company,)

Counterclaimant/Crossclaimant,)

v.)

Case No. 2:17-cv-00604-RFB-BNW
consolidated with
Case No. 2:17-cv-00916-KJD-BNW
**CONSENT MOTION TO
CONTINUE SETTLEMENT
CONFERENCE AND RELATED
DEADLINES BY 30 DAYS
(Second Request)**

1 ROCKTOP PARTNERS, LLC;)
WILMINGTON SAVINGS FUND SOCIETY,)
2 FSB, as Trustee of Stanwich Mortgage Loan)
Trust A; LEON BENZER, an individual; and)
3 UNITED STATES OF AMERICA,)
)
4 Cross-Defendants,)
Counter-Defendants.)
5)
6)

6 UNITED STATES OF AMERICA,)
7)

7 Plaintiff,)
8)

8 v.)
9)

10 LEON BENZER; SFR INVESTMENTS POOL)
1, LLC; ROCKTOP PARTNERS, LLC;)
11 WILMINGTON SAVINGS FUND SOCIETY,)
FSB, as Trustee of Stanwich Mortgage Loan)
12 Trust A; ANTHEM COUNTRY CLUB)
COMMUNITY ASSOCIATION; and)
13 REPUBLIC SILVER STATE DISPOSAL INC.,)
)
14 Defendants.)
15)

15 ROCKTOP PARTNERS, LLC; and)
WILMINGTON SAVINGS FUND SOCIETY,)
16 FSB, as Trustee of Stanwich Mortgage Loan)
Trust A,)
17)

17 Cross-Claimants,)
18 Counter-Claimants,)
)

18 v.)
19)

20 UNITED STATES OF AMERICA; LEON)
BENZER, an individual; SFR INVESTMENTS)
21 POOL 1, LLC, a Nevada limited liability)
company; and ANTHEM COUNTRY CLUB)
22 ASSOCIATION, a Nevada corporation,)
)

23 Cross-Defendants,)
24 Counter-Defendants.)
25)

MEMORANDUM OF POINTS AND AUTHORITIES

The Court has set a settlement conference for January 31, 2022. Settlement statements are currently due January 27, 2022. (*See* ECF No. 415). The parties have made considerable progress in reaching an agreement, and the undersigned trial counsel for the United States has recommended that the United States approve the agreement. In the undersigned trial attorneys' view, mediation between the parties is unlikely to be useful at this stage, given the parties' general agreement as to what the terms should be. The United States asks that the conference deadlines be continued for 30 days, i.e., until at least Monday, February 28, 2022, for the statements (because the 30 days falls on a weekend), and March 2, 2022, for conference itself. In the alternative, the Court may wish to vacate the conference for now.

The United States makes this request because the undersigned trial attorneys do not have authority to accept a settlement on the government's behalf. (*See, e.g.*, ECF 409 (describing settlement procedures)). The undersigned have been working with Department of Justice officials to resolve issues and questions and work through Department procedures, so that the appropriate official may reach a determination. The undersigned do not wish for any of the parties or the Court to have to expend further resources preparing for or participating in the settlement conference that may be unnecessary.

The United States has consulted the other litigating parties (Anthem Country Club Community Association; SFR Investments Pool 1, LLC; Rocktop Partners LLC; and Wilmington Savings Fund Society, FSB, as Trustee of Stanwich Mortgage Loan Trust A), and they consent to the requested extension.

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1 WHEREFORE, the United States ask that the settlement conference and related deadlines
2 be extended at least 30 days, i.e., to no earlier than February 28, 2022, for the statements and
3 March 2, 2022, for the conference.

4 DATED January 26, 2022.

5 DAVID A. HUBBERT
6 Deputy Assistant Attorney General

7 /s/ E. Carmen Ramirez
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20 *Counsel for the United States*

21 **ORDER**

22 IT IS ORDERED that ECF No. 416 is GRANTED. IT IS
23 FURTHER ORDERED that the pre-Settlement Conference
24 Telephonic Conference set for 1/28/2022 and the
25 Settlement Conference set for 1/31/2022 are VACATED.
The Court will issue a separate Scheduling Order regarding
new dates for the rescheduled Settlement Conference.

IT IS SO ORDERED

DATED: 5:34 pm, January 27, 2022



BRENDA WEKSLER
UNITED STATES MAGISTRATE JUDGE

CERTIFICATE OF SERVICE

IT IS HEREBY CERTIFIED that service of the foregoing is made this January 25, 2022, via the Court's ECF system to all current parties who have appeared electronically. Defendant Leon Benzer has defaulted. However, the United States is sending this filing to his last known address. Such mailing may take two business days to complete, due to the timing of the request in-office staffing limitations during the present pandemic.

Leon Benzer, RN # 47521-048
United States Penitentiary
P.O. BOX 24550
TUCSON, AZ 85734

/s/ E. Carmen Ramirez
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